

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

For Online Publication Only

-----X
ROTEM BALILA,

Plaintiff,

-against-

NASSAU COUNTY, et al.,

Defendants.
-----X

AZRACK, United States District Judge:

**REVISED ORDER ADOPTING
REPORT AND
RECOMMENDATION**

16-CV-646 (JMA)(AYS)

**FILED
CLERK**

6/28/2017 11:07 am

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Plaintiff Rotem Balila brought this civil rights action against the defendants on February 1, 2016. The defendants moved to dismiss plaintiff's complaint pursuant to Federal Rule of Civil Procedure 41(b) on December 29, 2016. In a Report and Recommendation dated May 26, 2017 ("the R&R"), the Honorable Anne Y. Shields, United States Magistrate Judge, recommended that the motion to dismiss be granted.

No party has objected to the R & R, and the time for doing so has passed. When deciding whether to adopt a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). "To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y.2011) (internal quotation marks and citation omitted). The Court has reviewed the record and, finding no clear error, adopts the R & R as the opinion of the Court. Accordingly, the Court grants defendants' motion to dismiss.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order

would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444–45 (1962). The Clerk of the Court is directed to mail a copy of this order to the plaintiff and to mark this case closed.

SO ORDERED.

Date: June 28, 2017
Central Islip, New York

/s/ (JMA)
Joan M. Azrack
United States District Judge